

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13.8.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.A.No.1744 of 2018
against WP.No.6417 of 2018

S.Viswanathan ... Appellant/Petitioner

Versus

- 1 State of Tamil Nadu Rep. by
its Secretary to Government
Revenue Department
Secretariat Chennai 9
- 2 State of Tamil Nadu
Rep. by its Secretary to Government
Public (Spl.A) Department
Secretariat Chennai 9
- 3 Principal Secretary and
Commissioner of Revenue Administration
Chepauk Chennai 5 Respondents

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 21.3.2018 passed in W.P.No.6417 of 2018 on the file of this court.

W.P.No.6417 of 2018:-

This Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to promote the petitioner as Deputy Tahsildar, Deputy Collector and District Revenue Officer notionally from the date on which his junior was promoted and confer all the consequential benefits

For appellant : Mr.P.Ganesan for
M/s.C.S.Associates

For respondents : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellant and Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader, who takes notice on behalf of the respondents.

2. The writ appeal has been filed by the writ petitioner challenging the order passed by the learned Single Judge in dismissing the writ petition and thereby declining to grant the relief of mandamus sought for by him.

3. It appears that the appellant/writ petitioner, having joined the State service as Assistant in the year 1974 and retired as District Revenue Officer on 31.3.2010, had come up with the writ petition seeking a direction for re-fixation of his seniority in the post of Deputy Tahsildar, Deputy Collector and Deputy Revenue Officer with all consequential benefits.

4. The learned Single Judge has dismissed the writ petition for holding that there is a delay of eight years on the part of the appellant/writ petitioner in approaching the court

5. Having heard the learned counsel appearing for the parties and perused the materials available on record, we find that though the appellant/writ petitioner had obtained an order in his favour for consideration of his representation, even in the year 2009, the appellant/writ petitioner does not appear to have taken any other steps except submitting representation one after another in the years 2013, 2015 and 2017 and thereafter, he had chosen to file the present writ petition.

6. Therefore, we do not find any good reason to interfere with the order passed by the learned Single Judge in dismissing the writ petition on the ground of delay and laches. The writ appeal is dismissed. No costs.

सत्यमेव जयते Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ssk.

To:

- 1 The Secretary to Government
Revenue Department
Secretariat Chennai 9

2 The Secretary to Government
Public (Spl.A) Department
Secretariat Chennai 9

3 Principal Secretary and
Commissioner of Revenue Administration
Chepauk Chennai 5

+lcc to M/s.C.S.Associates, Advocate, S.R.No.55937
+lcc to the Government Pleader, S.R.No.56080

W.A.No.1744 of 2018

RJ(CO)
CS/11/10/2018



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